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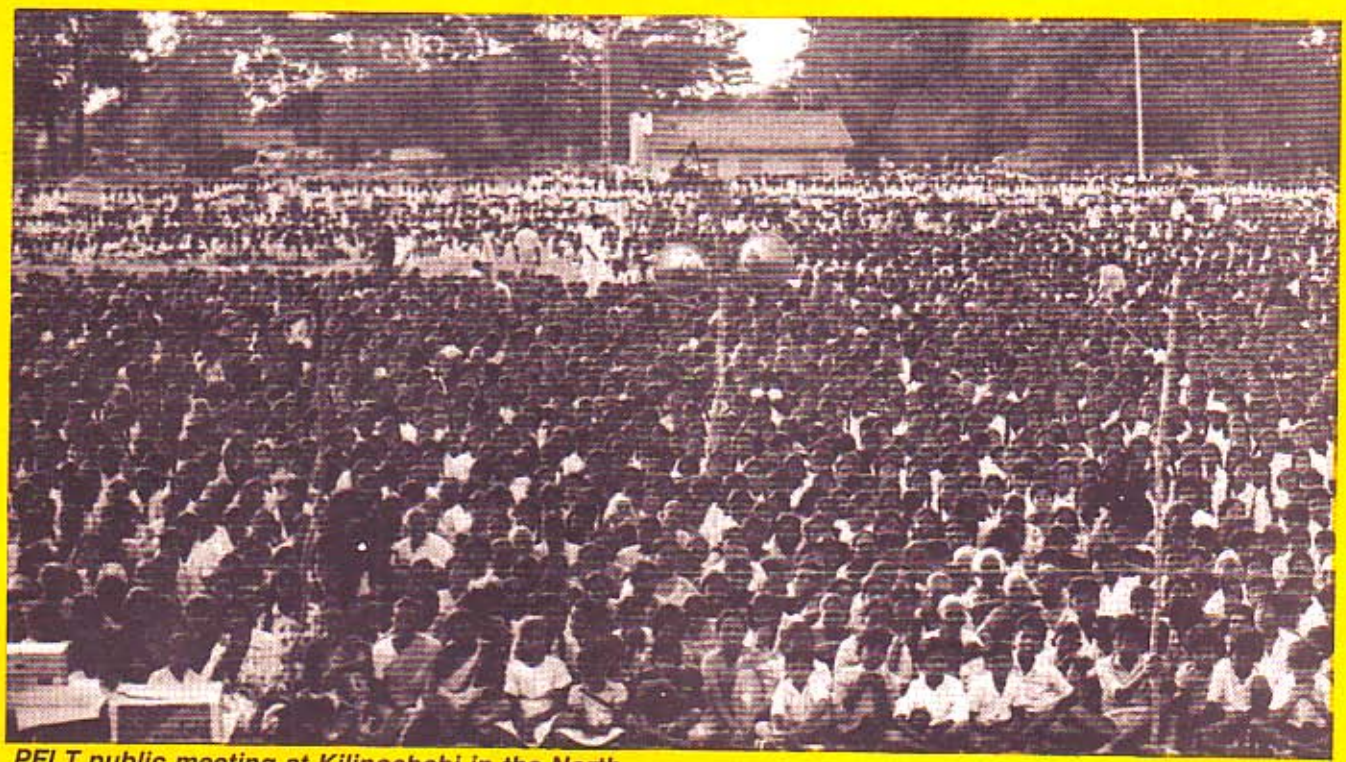
INDO-SRI LANKA FRIENDSHIP TREATY



PFLT public meeting at Kilinochchi in the North

- **Security of Tamils, Internal Matter – Gujral**
- **MAYDAY 1990 – OPPOSITION IN DISARRAY**
- **5000 To Be In Jail For Life – Minister**

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MAY DAY 1990 – OPPOSITION IN DISARRAY

As everyone knows, May Day is normally expected to be celebrated mainly by workers and their organisations to display a sense of solidarity and unity. Traditionally, at least until 1956, it was the preserve of the Lanka Sama Samaja Party (LSSP) and the Communist Party (CP) and their affiliated trade unions to demonstrate their numbers and strength. From 1956, The Sri Lanka Freedom Party (SLFP) and the Mahajana Eksath Party (MEP), also got into the act. A defeated and demoralised United National Party (UNP) also entered the May Day scene in a manifest attempt to show itself also as a party in touch with the workers and the common man. Ever since, May Day has been an occasion for almost all political parties and their affiliates to demonstrate their strength and numbers with processions and rallies.

What of May Day 1990? A newcomer to the scene was the Liberation Tigers of Tamil Eelam (LTTE). With its virtual total control of the North-East, the LTTE (and its political wing, the Peoples Front of Liberation Tigers, PFLT) celebrated its May Day with processions and meetings, in which several thousands took part, and which were marked by an impressive display of colour and pageantry. It is said, never before has May Day been celebrated in the Tamil areas with so many people participating.

In the South, President Premadasa employed the vast resources of the State and its machinery to bring out an estimated one million people to the Colombo Galle Face Green for a 'National May Day'. It was more an ostentatious carnival than a May Day celebration in its traditional sense. Film stars and artistes – singers and dancers – from India, several from Tamil Nadu performed in an ostensible display of Premadasa's newly discovered commitment to a multi-ethnic society in Sri Lanka. Incidentally, UNP's normal sole green colour had given way to a mixture of green and red, and even the voluble State Minister for Defence Ranjan Wijeratne was seen sporting a green and red shirt!

May Day 1990 also revealed the appalling disarray among the parties that constitute the opposition. The SLFP, USA, (United Socialist Alliance), NSSP, MEP, SLMP, and several trade unions had their own separate processions and meetings in a tragic and shameless display of their divisions. Even counted together, the total number participating in opposition meetings did not approximate even to a third of that which gathered at the Galle Face Green. Even making a substantial allowance to the fact that the use of enormous resources of the State ensured a much larger turn-out there than the UNP could ever dream of mustering on its own steam, May Day 1990 was a total disaster for the opposition parties. It reflected not only their relative weakness, but also the lamentable incapacity of its leaders to establish a sense of unity and provide a credible opposition to the Premadasa Government.

The more pathetic was the state of affairs concerning the USA which comprised the SLMP, LSSP, CP and NSSP. The first major shock and loss it suffered was when the charismatic leader of the SLMP, Vijaya Kumaranatunga was gunned down by the JVP. His widow, Mrs Chandrika Vijayakumaranatunga, having assumed the leadership of the SLMP and the USA, went abroad with her children and stayed away for security reasons for almost two years during which period the USA remained leaderless. Her absence and the festering division within the SLMP were another factor that affected the progress of the USA. The much raised expectations that her return would produce an upward curve in the fortunes of the USA were dashed when the SLMP's split was formalised structurally with Mr. Ossie Abeygoonesekera leading one camp and Mrs. C. Kumaranatunga leading the other. A near mortal blow was struck at the very existence of the USA when the LSSP and CP decided, in defiance of the opposition of the NSSP, to keep Mr. Abeygoonesekera's faction out and hold the USA's May Day rally chaired by Mrs. Kumaranatunga. NSSP and Mr. A's faction of the SLMP promptly proceeded to hold their own separate May Day meetings. The much lamented split in the SLMP and the much desired return of Mrs. Kumarantunga to the island had brought about a disastrous division in the USA at a time when unity among opposition parties was most needed to offer an effective challenge to President Premadasa who appears to have succeeded in consolidating his own and his government's position in recent months.

The leaders of the opposition parties have miserably failed to measure up to their responsibilities not only by the people, but also by their own followers and party members. On the other hand, having broken the back of the JVP and eliminated virtually its entire leadership, Premadasa gives the appearance of a supremely confident man. Such is his confidence, there is reliable speculation that, taking advantage of an opposition in chaotic disarray, the President would dissolve parliament to seek a mandate for a new government with an assured two-thirds majority needed to effect changes in the Constitution he wants enacted. If that were to happen, with another term of five years, the UNP would have been ruling for a record unbroken spell of 18 years, a prospect that may not be good for the restoration of democratic norms and practices which have suffered serious erosion in recent years.

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'Security of Tamils is an Internal Matter' – Gujral

India's External Affairs Minister, Inder Kumar Gujral, echoing a significant departure from the policies of the previous government of Rajiv Gandhi, has reiterated that the Indian government would never send its army to intervene militarily abroad and stressed that Tamil security and welfare was ultimately the responsibility of the Sri Lankan government.

Gujral, who spoke to this correspondent, was categoric in his assertion that he foresaw 'no circumstances' that could be grounds for Indian military intervention in another country.

When asked specifically whether India would not be prepared to intervene militarily to defend Indian interests abroad, including Indians settled in other countries, Gujral replied emphatically 'definitely not, never'. He went on to say that those who have tried to send armies abroad were not very happy today, but did not elaborate.

He also said that he hoped the Sri Lankan government had learnt from the lessons of history and would not henceforth deny the country's ethnic minorities their due.

Government's responsibility

'Tamils are living in Sri Lanka. Their security and welfare is ultimately the responsibility of the Sri Lankans. And I do hope and believe that the Sri Lankan government and Sri Lankan polity has learnt from its history that by not giving their ethnic groups their due, it has. . . .harmed everybody', Gujral said.

The interview was conducted a few hours before Gujral left for New York to attend the U.N. session and talks with Pakistani counterpart Sahibzada Yakub Khan.

The Gandhi government held the view that because of the close emotional and cultural ties between Sri Lankan Tamils and India's Tamils, India could not isolate itself from concerns about the island's Tamils and this was the *raison d'etre* forwarded for the extended stay of the IPKF in Sri Lanka.

In fact, then minister for state for external affairs Kanwar Natwar Singh said categorically in parliament that the question of IPKF withdrawal could not be delinked from the question of safety and security of the Tamils and maintenance of law and order in the northeastern province.

Gujral gave the instance of Sri Lanka to stress the point how the National Front government had succeeded in improving good neighbourliness between the two countries. Our relations with the neighbours were the major area of aberrations (during the previous regime)', Gujral said. 'That is where correctives have been applied (by this government)'.

PRABHAKARAN THANKS PRESIDENT'S 'SINCERE & GENUINE EFFORTS'

The LTTE has urged the government to intensify the pace of rehabilitation and reconstruction programmes in the North and East committing the fullest LTTE support to the implementation of these programmes. The political future of the Sinhalese and Muslims in the North and East was also discussed at a meeting that Minister of Justice and Higher Education, A.C.S. Hameed had with a LTTE delegation led by Mr. Velupillai Prabhakaran, in Jaffna during the weekend 14/15 April.

'Mr. Prabhakaran told Mr. Hameed that the LTTE was keen to see that development programmes for the North and East were carried out as early as possible', a government communique said.

The communique added: 'Mr. A.C.S. Hameed, Minister of Justice and Higher Education and Chairman of the North-East Peace Committee visited Jaffna and met Mr. Prabhakaran, Leader of the LTTE, on July 12'.

The meeting lasted three hours. Mr. Prabhakaran and Mr. Hameed discussed the important issues now facing the North and the East.

Mr. Hameed explained in detail to Mr. Prabhakaran the policies of President Premadasa to find a durable solution to the ethnic problem and to ensure the minorities a fair deal.

Mr. Prabhakaran told Mr. Hameed that he appreciated greatly the sincere and genuine efforts of the President and that the LTTE would extend the fullest co-operation to the President's initiatives to achieve a lasting settlement of the ethnic problem and ensure peace and normalcy in all parts of the island.

The political future of the Sinhalese and the Muslims in the North and the East was also discussed and it was decided that certain steps should be taken early to resolve some of the problems faced by the Muslims.

Mr. Prabhakaran told Mr. Hameed that the LTTE was interested in the rehabilitation and reconstruction programmes for the North and East. He said that he was keen that the development programmes were carried out as early as possible and that the LTTE would give all support to ensure that these programmes were completed as speedily as possible.

The circumstances under which two police stations namely Point Pedro and Velvattiturai were closed were discussed and it was agreed that the two police stations would be opened within 48 hours.

Associated with Mr. Prabhakaran at the talks were Mr. Kopalasami Mahendrarajah (Mahattaya), Mr. Anton Balasingham, Mr. Yogaratnam Yogi, Mrs. Adele Balasingham, Mr. Dominic and Mr. Banu.

Talks on Estate Tamils' Future Sought

The leader of the Tamil estate workers and Minister for Rural Industrial Development, Mr. S. Thondaman, has urged the Indian and Sri Lankan Governments to meet soon to decide the fate of 160,000 plantation workers and their families, who have either received Indian passports, but who have not been repatriated, or who have applied for, but have not yet taken their Indian passports.

This is the last problem remaining as far as the citizenship of the estate workers was concerned and Mr. Thondaman said it was time that both the Governments met to resolve this 'in a humanitarian way'.

The Minister said that of the 160,000, roughly 80,000 had received their Indian passports, but did not wish to go to India, as only their fathers and grandfathers had applied for Indian citizenship 25 years ago. Most of those who had applied for Indian citizenship originally were no longer alive and it was the next generation which was now faced with the prospect of being repatriated. There were around 80,000 people who were waiting for their Indian passports, but reluctant to be repatriated since their parents were the ones who had applied for passports in the first place.

Discussion at Commission meeting

Mr. Thondaman said the Sri Lankan Government had agreed to discuss this problem with the Government of India when the Indo-Sri Lanka Joint Economic Commission met next, but said he did not know what the Indian Government's response was. He said he had raised the issue with the External Affairs Minister, Mr. I.K. Gujral, during a recent visit to Delhi. 'He was quite sympathetic', Mr. Thondaman said.

The veteran trade union leader said it was essential for the Ceylon Workers Congress, as representatives of the estate Tamils, to be present at these talks. During the negotiations on the Sirimavo-Shastri pact, 'the two Governments did not think it fit to call any representatives of the plantation Tamils' and the result was a legacy of problems.

'India's failure'

Mr. Thondaman was also critical of India's failure to rehabilitate properly those who had been repatriated to India. 'Most of them are destitute' he

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said. 'If the Government can spend so much on Tamils from the north and the east, they should do at least that much for people who have gone to India at the invitation of the Government', he said.

CALL FOR MORE VARSITY INTAKE

'Every year an average of five lakhs of students in the age group of 14 to 16 sit the GCE (O/L) Examination and only 25 per cent qualify to follow the GCE (A/L) classes. At the GCE (A/L) Examination an average of 36,000 or 5 per cent only qualify for admission to the universities. But only 6,000 or 1.2 per cent are actually admitted to the universities. In the end, every year 98.8 per cent of youths between the age group 16 to 18 are shut out of further education. Our tertiary education is not diversified enough to absorb them. Our Open University system also is not in a position to absorb them. This is a result of bad planning of our education. The educational system ceases to be education for life and adequate socio-economic mobility'.

This was stated by Prof. A. Thurairajah, Vice-Chancellor, University of Jaffna, who presided over a seminar on 'Aspects of Higher Education' organised by the Thani Nayagam Institute of Culture and Society.

The seminar was held recently at the Ramanathan Hindu Ladies College, Bambalapitiya, and was attended by educationists, teachers and A/L students.

Prof. Thurairajah said: 'Our intake into universities was about 5000 in 1965 and in 1990 it is only around 6000. This is not sufficient. The intake must be increased. We spend 4.5 per cent of the GNP on education. It is the highest in SAARC and some ASEAN countries. But our intake into universities is poor when compared to these countries.

'We must increase our admissions to universities. We must upgrade and update the Provincial Technical Colleges and also diversify the tertiary education. We must have colleges for fisheries, agriculture etc., affiliated to the universities. Otherwise the purpose of education and the resultant socio-economic mobility will collapse and add more fuel to the burning question of youth unrest.

'The present system has made the GCE (A/L) highly competitive making students to lean heavily on tuition. We fail to realise that this is destroying their initiative originality. Our educational system has to be thoroughly re-structured if we are to benefit by the money spent on education and the youth engaged in education'.

Mr. S. Sandarasegaram, Head of the Dept. of Social Science Education of the Faculty of Education, Colombo University, led the discussion on the theme 'Aspects of Higher Education'. He focussed attention on many shortcomings in the present system. It was followed by a thought provoking lively discussion.

More Money for Tamil Refugees

The Tamil Nadu Government may soon take a decision on increasing the cash dole paid to the Sri Lankan Tamil refugees living in Mandapam and Kottapattu camps in the State, according to sources dealing with the refugees. Representations have already been made for an increase in the fortnightly cash dole paid to the adult refugees from Rs. 110 to Rs. 150 and for children from Rs. 48 to Rs 75.

The Sri Lankan Tamil refugees can be classified into two categories: non-camp refugees are those who live in various parts of Tamil Nadu but do not depend on doles. They maintain themselves with the help of cash remittances from their relatives or friends living in the U.S., the U.K., Canada, Australia etc. Some of them have set up grocery stores, video cassette shops and printing presses. A few of them are practising as advocates and doctors.

There are about 85,000 non-camp refugees in the State. Of this, about 10,000 are in dire financial straits and about 2,000 are almost destitute. 'But they are living quietly in their own way, not looking up to the State or Union Governments for help. There were about one lakh non-camp refugees but about 15,000 have returned to the Northeastern province of Sri Lanka in the last few months.

Camp refugees

The second category is the registered, camp refugees, who live in the Mandapam camp in Ramanathapuram district and the Kottapattu camp in Tiruchi district. They are paid cash doles every fortnight, with which they buy groceries and fuel in the fair price shops in the camps.

There are 2,961 refugees at Mandapam including 2,636 new arrivals and 783 in Kottapattu including 586 new arrivals. The new refugees are those who started arriving in Rameswaram or Nagapattinam after the IPKF started pulling out from Sri Lanka from August last year. This new arrival, which was a trickle between September and December last year, swelled to more than 3,000 in January and February this year. Many of them are supporters of EPRLF, ENDLF, PLOT and TELO, the groups rival to the LTTE into whose hands the control of the Northeastern province has passed now. Besides the refugees at Mandapam and Kottapattu, there are 1,631 refugees kept in the two camps at Malkangiri and Satiguda in Orissa.

EDF URGES REPEAL OF 6TH AMENDMENT

During their meeting recently in Colombo with President R. Premadasa and Minister of Justice A.C.S. Hameed, the MP for the Eelavur Democratic Front in Trincomalee S. Ratnarajah and General Secretary V. Balakumar had reiterated that their organisation continues to be committed to Sri Lanka as a unitary state, S. Ratnarajah said.

During an interview, he said that EDF encouraged the repeal of the Sixth Amendment to the Constitution as this would eliminate suspicions by any government about the country's sovereignty and unity.

Mr. Ratnarajah emphasised that 'the relationship between the people and their government grew not only on the basis of written law but more on unwritten agreements which in due course of time would reap benefits for both'.

Repeal of the Sixth Amendment to the Constitution would, moreover be an assurance to the Tamil-speaking minorities in Sri Lanka that they too belonged to the unitary state.

Asked why Tamil militant groups had earlier campaigned for a separate state in the northern and eastern provinces, Mr. Ratnarajah replied that previous governments had suppressed the Tamil-speaking minority instead of considering them also as a part of a unitary Sri Lanka.

North-East Must Be Accepted As Tamil Homelands'

'Until the government accepts that the North and East is the homeland of the Tamil speaking people there will be no basis for the solution of the problem of the Tamil speaking people', Mahendrarajah Mahatthaya the leader of the Peoples Front of Liberation Tigers told a public rally attended by over 20,000 people at the Trincomalee Esplanade near Kali Kovil in Trincomalee on 18 April.

A tall wooden pandal of the map of Sri Lanka with Tamil Eelam in red lettering had been erected near the stage.

The PFLT leader pointed out that the colonisation of Sinhalese in areas such as Allai Kanthalai, and along the Anuradhapura Trincomalee roads have upset the population ratio of the Sinhalese and Tamils. 'In 1977 there were just 6 per cent Sinhalese in the district whereas now there were 27 per cent.

'You are expecting a lot from us and we will give our best in the realisation of our goals' Mahatthaya assured the Tamil speaking people.

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Going on to the question of the surrender of arms he said: 'Prabhakaran has categorically stated that we had to take up arms to protect the Tamil speaking people and until our problems are resolved we will not give up our arms at any cost' he said.

He said that talks were going on with the government regarding the problems of the Tamil speaking people.

He said he had 'Trust and hope on the Tamil speaking people being fully behind us in finding a durable solution of the problem of the Tamil speaking people'.

MP CALLS FOR TALKS

Mr. K. Premachandran, an MP for the EPRLF representing Jaffna District, has called upon President R. Premadasa to initiate a process of negotiations with all the Tamil political parties and groups as soon as possible to ensure that the Tamil-speaking people lived with self-respect within the framework of a united Sri Lanka.

In a news release Mr. Premachandran has noted that the 19-point programme put forward by the EPRLF was a symbol of the groups earnest desire to seek a political solution to the country's ethnic problem within the framework of a united Sri Lanka. That had been endorsed by an overwhelming majority of members of the North-East Provincial Council.

He says that the President had been having a dialogue with the LTTE for over 10 months with a sincere desire to find a political solution. Neither the country nor the EPRLF (the ruling party in the North-East Province) knew what really transpired at the talks and that may be due to the sensitive nature of those discussions.

The MP further notes:

'Your outstanding political experience and acumen will make you to agree with us, if we emphasise that there should be a collective effort immediately launched, to counter the impending catastrophe that is the culminating process of the policies followed by the people who hitherto ruled Sri Lanka, in view of the existing conditions of the attempted solutions to the problems of the nationalities of our country.

'We have had enough and bitter experiences to find out a lasting political solution, totally due to the lack of political statesmanship.

'We firmly believe that you will generate enough political courage to comprehend the letter and spirit of the 19-point programme which is the embodiment of the resultant experiences of all the factors and forces that contributed immensely to the political solution of the problem that affects our social fabric as a cancer, the problem of nationalities.

'5000 To Be In Jail For Life' – Minister

Certain amendments will be introduced shortly to incarcerate virtually for the rest of their lives 4,000 to 5,000 persons who are among those being detained at present in connection with 'subversive' activities. A new prison with maximum security will have to be built to hold those persons, who no one will expect the government to release. If they were set free they would creep under your beds' and pose a threat to everybody, Plantation Industries Minister and State Minister for Defence, Ranjan Wijeratne told Parliament on 26 April.

Winding up the 9½-hour debate on the extension of the emergency, the Minister said that until laws were passed to incarcerate those persons the emergency would have to continue. Provision should be made to deal with the arrested criminals. In Italy there were 2500 Red Brigade men being incarcerated for life.

'OFFENSIVE OPERATIONS SUSPENDED'

All offensive military operations will be suspended with effect from 20 April with the setting up of the Independent Surrender Committee. The security forces would be inoperative until further notice but the police would continue their normal law enforcement duties in the country, Plantation Industries Minister and State Minister for Defence, Ranjan Wijeratne announced on 19 April.

The Minister told the weekly cabinet news briefing held at the Cabinet Office that instructions had been given to the security forces to halt all offensive operations. 'But of course, if somebody tries to be funny by lobbing a grenade or opening fire, he would "get the works",' he added. The security forces would not go hounding people and those who do wrong would be dealt with by the police under the laws of the land, he said.

Asked for the number of persons, the government expected, would surrender with the formation of the Committee, Mr. Wijeratne said that it was anybody's guess. Those who surrendered earlier were now being rehabilitated in ten camps. In fact the number of detenues being released (in stages) exceeded the number surrendering. Last week about 14 persons gave themselves up, but yesterday (19 April) alone 80 detenues were released from Polonnaruwa, he said.

'Over 600 Missing' says EPRLF MP

The names of over 600 persons reported missing in the North-East since the Indian Army was withdrawn from the region would be submitted to Amnesty International by the Eelam People's Revolutionary Liberation Front (EPRLF) shortly, a Member of Parliament of the party, Ganeshasankari Yogasangari disclosed recently.

He said that he had already called for affidavits from the families of those who had disappeared and no sooner they were received the matter would be placed before Amnesty International. 'In fact I have already sounded AI on this grave matter and they wanted me to forward the case to the London office', he added.

Among those who had disappeared in Jaffna was a National List MP of the party at the last Parliamentary election. Identified as Nadesu, the man had been dragged away from his Chankanai residence and taken away in a vehicle by an armed gang last month.

The MP said that even his clerk, a man of 72 years identified as Nellainathan, had been abducted and shot dead. 'The poor man worked for the late MP, V. Yogeswaran and was out of job. He was not involved in politics. I gave him a job because he was out of employment', Mr. Yogasangari added.

Security sources assert that in Jaffna district alone over 100 persons, mostly members and supporters of the TULF and other Tamil groups had been abducted since the IPKF quit the region. According to reports reaching security authorities, most of them had been done to death.

Some former Members of the Jaffna Municipal Council who supported the TULF were also missing. 'It looks as if our party cadres in the North-East are being wiped off the face of the earth', the TULF MP noted.

ABORTION RATE – THREE A DAY IN SRI LANKA

The newly inducted President of the Sri Lanka College of Obstetricians and Gynaecologists Dr. S. P. Kularatne, speaking on 'Criminal and Septic Abortion' noted that every couple, married or unmarried, might attempt to prevent a pregnancy going to term, at some stage of their life. He put the abortion rate in Sri Lanka at three cases per day.

Illegal abortions might be caused by drugs, instruments and other means, Dr. Kularatne said.

Speaking of abortions caused by drugs he pointed out Epsom Salts, Ergot anti malaria drugs, Stilboestrol, tender pineapple, tender papaw, the pith of plantain trees and mushrooms are used for abortions in Sri Lanka. Among the instruments used in abortion which Dr. Kularatne revealed was the insertion of castro stems into the uterus. Hot water baths, Hip baths, and vigorous exercise were also used

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Dissolution of N-E Council Delayed

Rita Sebastian From Colombo

With the future of the North-East Provincial Council still to be resolved, the LTTE seems to be getting impatient. A hurried visit to Colombo last fortnight was to impress on the Government the need for an early dissolution of the Council and fresh elections that would help legitimise their de facto control of the region.

They are also not particularly pleased with Colombo for agreeing to accommodate the EPRLF in a dialogue on the basis of their 19-point demands. Where the EPRLF is concerned the LTTE has not changed its position that the provincial unit was administered by a 'puppet regime' set up by India in a fraudulent election. It has also taken the position that the provincial unit ceased to exist when the leadership abandoned it, and Chief Minister Varatharajah Perumal fled, to a still, undisclosed destination. The Government is in a quandary because there is no provision in the constitution for dissolving the Council unless recommended by the Chief Minister.

The only other option is to bide its time and wait until three months lapse without a meeting of the Council and let the law take its own course. But while a kind of inertia seems to have set in, over the constitutional processes that will have to be set in motion before fresh elections are held, incidents, large and small have been surfacing in the region that are causing considerable unease in the South.

As the Tigers continue consolidating their ground control of the region, they have come up against a barrage of criticism for alleged extortion and unauthorised levies on the civilian population. Although Colombo got an assurance from the LTTE leadership that no levies will be made, orders if any, do not seem to have trickled down to the rank and file for, complaints keep pouring in of groups of LTTE cadres intimidating people into paying 'unauthorised taxes'. Lorry owners transporting flour from the Prima flour milling factory in eastern Trincomalee have complained of LTTE levies that have forced them off the roads. As a direct result bakers in Colombo and the outskirts who depend on stocks of flour from the Prima factory have been deprived of their quotas.

The hardest hit are the fishermen. This is the season for fishing on the Eastern Seaboard and migratory fishermen from the South inhabit the fishing villages during the season, sending their catch to Colombo. With the LTTE's alleged levies on fishermen as well as the lorries transporting the fish to Colombo, there has been a marked drop in the fish catch, with the shortage of fish in the Colombo market being laid directly at the door of the LTTE.

While some members of the LTTE, responsible for fund raising in Colombo have openly admitted that they were compelled to collect funds to maintain their cadres, others have played it down and described it as voluntary contributions.

Hundreds of LTTE cadres are deployed today as the LTTE's 'unofficial army and police force' keeping a tight rein on the security compulsions of the North-East region. They serve as body guards for their leaders, man check points and provide sentry duty. They have to be fed and looked after, argue the Tigers and money is needed. 'We don't have the funds like other groups who were beneficiaries of Indian Government largesse'.

Besides levies there are also instances, specially in the North where LTTE cadres have moved into houses, displacing the occupants and incurring considerable resentment.

These are problems according to the LTTE that will get automatically resolved when the North-East Council gets dissolved, fresh elections held and the necessary law and order machinery in the region gets functional. A provincial police force that will absorb LTTE cadres and recruitment to the army is expected to relieve the LTTE of the financial burden of their cadres. Incidents in the North-East region shrugged off most times by the State Minister for Defence, Ranjan Wijeratne as 'over enthusiasm by the LTTE rank and file' are increasingly being perceived in the South as a demonstration of Tiger strength, of the inescapable reality that it is the Tiger writ that runs in the region. And it is this strength that the Tigers want to build on.

They have no doubts whatsoever that in any future election in the region it is they who will emerge the winners. The dissolving of the North-East Provincial Council and the repeal of the Sixth Amendment are the crucial issues that will decide the future of the North-East. But then how soon will that happen. The Government's hands are tied at the moment because there is no provision in the constitution for dissolving the Council unless recommended by the Chief Minister. But what after dissolution. There is still the hurdle of the Sixth Amendment.

EROS leader Vellupillai Balakumar met with leaders of Sinhala political parties as well as Muslim leaders to canvass support for the repeal of the Sixth Amendment. While the main opposition Sri Lanka Freedom Party, which is the Government's biggest critic over what it charges as accommodation of LTTE demands at the cost of the Sinhala majority, is most unlikely to support any such move, the traditional left would however vote with the Government.

Sri Lanka Muslim Congress leader M. Asraff wants the LTTE to concede devolution of power in the region on the basis of ethnicity. Accusing the LTTE of unleashing a campaign of terror, Ashraff is in no mood to accommodate the LTTE even if he feels that the LTTE request for a repeal of the Amendment is justified.

Political analysts seem to think that the Government might just about make it. If it does, then there will be nothing in the way of the LTTE entering the political mainstream.

The LTTE would then have a chance of proving its bonafides.

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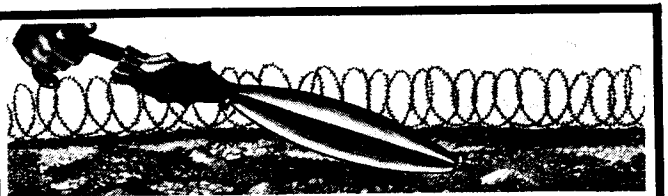

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Indo-Sri Lanka Friendship Treaty

In normal circumstances a debate on an international treaty takes place when it is presented to Parliament for ratification. The elected representatives of the people are then given an opportunity of examining the terms of the agreement before committing the country to it.

The stated Sri Lankan position that the Indo-Lanka friendship treaty should be debated before it is signed is unusual and in many ways unprecedented. The circumstances in which the July 1987 accord was signed perhaps makes it necessary for any government in Sri Lanka to involve all sections of political opinion and find consensus before committing itself to an agreement.

In the examination of the two drafts, the Sri Lankan draft could be described as a very basic document. The essence of the Sri Lankan position is set out in Article IV which reads as follows:

i) The ports of one country shall not be used in a manner prejudicial to the security interests of the other.

ii) Each country will not permit its territory to be used by any person to commit terrorist activities or to advocate separatism in the other, and will deport such person if such person is a national of the other country, to that country.

Whilst this is the meat of the Treaty, Article III sets out that bilateral problems 'can only be resolved by discussion and dialogue –

i) Declare their commitment and adherence to solving bilateral problems through discussion and negotiations on the basis of their sovereign equality.

ii) Declare that they will not either directly or indirectly interfere or intervene in the internal affairs of each other'.

The Indian draft is a far more comprehensive document which seeks to bring the whole gamut of Indo-Sri Lanka relations within its orbit, and it is also much more specific.

The Indian counter draft refers to a 'special relationship'. The question arises as to whether conceding a special relationship confers certain rights per se – this is a matter that has to be examined. Following from this are references in the preambular section to 'cross border links and sensitivities' which are said to 'draft affect democratic evolution and national consolidation of the two countries'.

As stated earlier the Indian draft is specific in many respects. Article I requires the parties to reaffirm their determination to implement in its totality the Indo-Sri Lanka agreement and the annexures thereto.

Continued On Page 10

The Sri Lankan Draft

Agreement to consolidate and extend the friendly relations and cooperation between the Democratic Socialist Republic of Sri Lanka and The Republic of India.

The Democratic Socialist Republic of Sri Lanka and the Republic of India,

– Recognising, the special relationship that exists between them based on close historic links and traditional ties.

– Desirous of strengthening, consolidating and expanding the existing friendly relations between them.

– Reaffirming their commitment to the principles of the UN charter, and also the Principles of International Law Concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations contained in UN Resolution 2625 (XXV).

– Recalling their commitment to the fundamental principles of the Non-Aligned Movement of respect for sovereignty, territorial integrity and political independence, equal relations between States, non-interference in internal affairs of States, non-use of force or threat of force, peaceful coexistence and the peaceful settlement of disputes.

HAVE AGREED AS FOLLOWS:

Article I: The Democratic Socialist Republic of Sri Lanka and the Republic of India (hereinafter referred to as the Two Countries) solemnly declared their respect for the independence, sovereignty, territorial integrity and unity of the other and re-affirm their commitment to enduring peace and friendship between them.

Article II: In this spirit, the Two Countries agree, through the strengthening of good neighbourly relations between them, to consolidate their mutual trust and confidence and to remove any hindrances to achieving these objectives, through friendly cooperation.

Article III: The Two Countries, convinced that bilateral problems could only be resolved by discussion and dialogue –

(i) declare their commitment and adherence to solving bilateral problems through discussion and negotiation on the basis of their sovereign equality; and

(ii) declare that they will not either directly or indirectly interfere or intervene in the internal affairs of each other.

Article IV: The Two Countries further agree that –

(i) the Ports of one country shall not be used in any manner prejudicial to the interests of the other;

(ii) each country will not permit its territory to be used by any person to commit terrorist activities or to advocate separatism in the other, and will deport such person, if such person is a national of the other country, to that country.

Article V: The Two Countries affirm their commitment to the consolidation and extension of the friendly relations and mutual co-operation that have traditionally existed between them. Towards this end, they agree to promote active co-operation in the economic, social, cultural, educational, technical, scientific and other fields as mutually agreed.

Article VI: This Agreement shall be subject to ratification and shall enter into force upon the exchange of Instruments of Ratification.

Article VII: This Agreement shall remain in force until either country declares its intention to terminate it by giving the other six months written notice.

Article VIII: The Two Countries shall consult each other with regard to any amendment or modification of this Agreement and such amendment or modification shall be effected in writing as mutually agreed and shall be subject to ratification. Such amendment or modification shall enter into force upon exchange of Instruments of Ratification.

Article IX: This Agreement shall supercede the Agreement contained in the Exchange of Letters between the President of the Democratic Socialist Republic of Sri Lanka and the Prime Minister of the Republic of India dated 29 July 1987.

Article X: Any difference of interpretation or application of this Agreement that may arise between the Two Countries shall be settled between them in a spirit of mutual trust and understanding.

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The Indian Draft

The text of the Indian counter draft of the friendship treaty as sent to the Sri Lankan government is as follows.

Agreement to consolidate and extend friendly relations and cooperation between the Republic of India and the Democratic Socialist Republic of Sri Lanka.

The Government of the Republic of India and the Government of the Democratic Socialist Republic of Sri Lanka, being the high contracting parties to this treaty.

Conscious of the special relationship and friendship that exists between the two countries stretching over two millennia:

– Desirous of consolidating, strengthening, and expanding the traditional ties of friendship:

– Inspired by the common ideals of peace, secularism and democracy:

– Reaffirming their shared commitment to the aims and principles of the UN charter, to the fundamental principles of the non-aligned movement, to peaceful co-existence and sovereign equality of states.

– Recognising the multi-ethnic, multi-lingual and multi-religious character of the societies in the two countries, and the need to foster conditions in their states in which all citizens can live in equality, safety and harmony and fulfil their aspirations, which in turn would contribute to the unity, sovereignty and territorial integrity of their two countries:

– Conscious of the fact that the process of democratic evolution and national consolidation in their respective countries, are affected by cross border links and sensitivities that have their origin in history:

– Believing that the traditional friendship between the two countries can be strengthened by weaving a new pattern of cooperative relationship responsive to each others concerns:

– Recalling the significant contribution made to these ends by the Indo-Sri Lanka Agreement to restore peace and normalcy in Sri Lanka of July 29, 1987:

Have agreed as follows:

Article I: The parties reaffirm their determination to implement in its totality, the Indo-Sri Lanka Agreement and the annexure thereto, concluded on 29 July 1987.

Article II: The parties solemnly declare their respect for each other's independence, sovereignty, territorial integrity and unity and reaffirm their commitment to enduring peace and friendship between them.

In this spirit, the parties agree to consolidate their mutual trust and confidence and to remove any difficulties in the way of achieving these objectives through strengthening good neighbourly relations and friendly cooperation.

Article III: All problems between the States shall be settled bilaterally and amicably through consultations and negotiations on the basis of sovereign equality and mutual respect.

Article IV: Should the security or stability of either state be endangered by external aggression or other threat, the high contracting parties shall immediately enter into consultations and take appropriate counter measures.

Article V: In conformity with the traditional friendship between the two States, neither party shall enter into or participate in any military alliance directed against the other.

Article VI: The parties undertake to refrain from any act of aggression against the other and not to permit the use of their territories for the commission of any act that might inflict military damage on the other party.

Article VII: The parties shall not permit their territories to be used by any person to commit terrorist activity directed against the other party. The parties shall consider requests for extradition of any person involved in terrorist activity in accordance with existing arrangements.

Article VIII: The high contracting parties undertake not to give to a third party, any use of their territory as a military base or for any other facility of a similar character.

Article IX: Each high contracting party shall ensure that any port in its territory will not be made available for military use by any third country in a manner prejudicial to the security interests of the other.

Article X: The parties undertake not to permit the presence on their territory of foreign mercenaries or military or intelligence personnel with a view to ensuring that such presences do not prejudice Indo-Sri Lanka relations.

Article XI: The parties undertake to ensure that any facilities set up on their territory by foreign broadcasting organisations are used solely as public broadcasting facilities and not for any military or intelligence purposes.

Article XII: The high contracting parties affirm their commitment to the consolidation and extension of friendly relations and mutual cooperation that have traditionally existed between them. Towards this end they shall continue to strengthen and widen their cooperation in the economic, social, cultural, educational, technical, scientific and other fields on the basis of the principles of equality and mutual benefit. In this spirit the high contracting parties agree to develop the Trincomalee oil tank farm as a joint venture between them.

Article XIII: The parties shall establish a joint consultative mechanism to review matters of common concern in light of the objectives of this treaty, which will meet at least once a year.

Article XIV: Any differences in interpretation and application of this treaty shall be settled through consultation and negotiation in a spirit of mutual trust and understanding.

Article XV: The present treaty shall replace the letters exchanged by the President of the Democratic Socialist Republic of Sri Lanka and the Prime Minister of India on July 29, 1987.

Article XVI: This treaty is concluded for a period of twenty years and will be automatically extended for subsequent periods of five years at a time unless either of the parties declares its intention to terminate it by giving notice in writing to the other party, twelve months prior to the expiration of any such period.

Article XVII: Any amendment or modification to this treaty can be effected through mutual agreement in writing. Such amendment or modification shall enter into force upon exchange of instruments of ratification.

Article XVIII: This treaty shall be subject to ratification and shall enter into force upon the exchange of instruments of ratification.

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The Indo-Sri Lanka agreement and the annexures relate to the domestic situation in Sri Lanka, and this was a matter which not only the opposition in Sri Lanka, but members of the then government, including the present President objected to.

Contentious issues

It was their contention that this constitutes a gross interference in the internal affairs of Sri Lanka, and that any agreement relating to the domestic situation in Sri Lanka, should have been between Sri Lankan parties and should not have involved another country. Therefore the inclusion of this in the Indian draft indicates that the Indian side has not taken into consideration the sensitivities and the objections raised in many circles in Colombo, which were all known.

The next contentious issue relates to the intent of Article III wherein the Indian draft states that all problems

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TAMIL REFUGEES IN THE U.K.

by K.S. Nathan LL.B (London) Q.C.

A number of Tamils from Sri Lanka who arrived in this country since 1987 were refused permission to stay in the United Kingdom as refugees within the terms of the 1951 Convention and Protocol relating to the status of refugees.

The Convention is contained in an International Treaty and the United Kingdom has acceded to the Convention which, for all practical purposes, has been incorporated into the current United Kingdom Immigration Rules.

Many of the Tamils who arrived were within the age group of 19 to 25, who claimed that they had 'a well-founded fear' within the Convention. As soon as they were refused leave to enter the United Kingdom, each of them instituted proceedings in the Divisional Court for Judicial Review.

In view of the large number of Tamil asylum seekers bringing proceedings in the High Court at that time, the Divisional Court selected about 10 cases as test cases, to determine the asylum issue which included Sikhs as well, in principle. Therefore, the rest of the Tamil cases were adjourned sine die and to date, there are still a large number of outstanding Tamil cases pending in the Divisional Court.

The test case in the Divisional Court on these matters was R. v Secretary of State for the Home Department ex parte Grumeet Singh and Others, determined on 22nd May 1987. The judgment of this case gave certain guidelines and how those pending cases in the Divisional Court should be scrutinised both by the legal advisers and the Treasury solicitors, to see whether or not the pending applications for Judicial Review ought to proceed.

The House of Lords considered the question of Tamil 'refugee' within Article 1A(2) of the Convention and Protocol relating to the status of refugees in the case of R. v Secretary of State for the Home Department ex parte Sivakumaran and Others 1988 1 Appeal Cases page 958, and concluded that the test of 'well-founded fear' should be determined objectively in the light of the circumstances existing in the country of his nationality. The House of Lords, in that case, concluded that the Applicant's fear of persecution should be well-founded means that he has to demonstrate a reasonable degree of likelihood that he will be persecuted for a conventioned reason if returned to Sri Lanka.

The Home Office have been gradually reviewing these cases and are granting the Applicants leave to remain in the United Kingdom, not as refugees within the Convention but exceptional leave to remain in the United Kingdom outside the Immigration Rules, initially for a period of 12 months.

The terms of the letter granted to the Tamil refugees by way of exceptional leave has guaranteed, in the event of refusal of further extension of leave to remain in the United Kingdom, there will be a right of appeal to an Adjudicator.

As the extensions are granted exceptionally outside the rules and although the rights of appeal have been promised, to what extent the Appellant Authority will be able to adjudicate on the issue remains to be seen.

The Court of Appeal has already decided that the provisions of Article 8 of the European Convention on Human Rights is not part of English Law but as the 1951 United Nations Convention relating to the status of refugees has been incorporated into the Immigration Rules, a powerful argument can be advanced that it should be binding in the English Courts.

Under the Immigration Rules, persons admitted are allowed to remain in the United Kingdom for approved employment, to set up in business, self-employment, or as a person of independent means, an application may have the time limit removed if the person concerned has remained in the United Kingdom for 4 years. The reason why the Home Office has specifically excluded applying the rules and giving exceptional leave is presumably to ensure that those persons who are allowed to remain in the United Kingdom exceptionally do not qualify for permanent residence in the United Kingdom.

The fact is that these Tamils who have been granted exceptional leave in the United Kingdom are now in a position, if they choose, to travel to Sri Lanka without any problems. Moreover, had they been granted refugee status, their passports would have been taken away and they would have been granted travel documents as refugees under the terms of the 1951 United Nations Convention.

This is not the first time the problem has arisen, as far as the United Kingdom is concerned, with regard to political refugees. In the case of persons who arrived in the United Kingdom as a result of problems in Cyprus, a large number of them were in fact allowed to remain in the United Kingdom when the problem in Cyprus was resolved. It is left to be seen how the United Kingdom will resolve the problems of the Tamils if and when the Tamil problem is resolved in Sri Lanka.

Many of the Tamils who are in the United Kingdom are young male Tamils between the ages of 21 and 35 who formed a 'sub-social group' within the meaning of the Convention. It is a point on which there has been no direct judicial intepretation by the Courts of this country. In the numerous applications made to the Divisional Court, Court of Appeal and the House of Lords in connection with the Tamils, well documented Amnesty International reports played a significant part in supporting their cases.

Apart from that report, a report was also obtained from the report of the parliamentary group which visited Sri Lanka to find out about the atrocities sustained by the Tamils. Both these reports indicated that Tamils not only received torture, but also were persecuted, particularly in the Jaffna area.

In conclusion, although there are no exact figures, it is estimated that there are about 7,000 Tamil refugees who have been granted exceptional leave in the United Kingdom. This is only a temporary measure and their future will no doubt depend on the attitude of the British Government and the political situation as it develops in Sri Lanka.

20,000 Tamils claim European asylum in 1989

Over 20,000 Sri Lankan Tamils arrived in European countries last year seeking political asylum, a meeting of the European Consultation on Refugees and Exiles was told in Paris in late March.

The major receiving countries were West Germany with 7,758 applications and France with 3,326. Switzerland had a record 4,809 applications from Sri Lankans many of whom had arrived illegally from other European countries.

Acquiring refugee status for Sri Lankans in Europe remains a difficult task, observers say, especially in a number of countries where refugee arrivals have doubled this year. France remains the exception where an assiduous public information campaign on Sri Lanka's ethnic conflict has raised the recognition rate to 63%.

In Germany, where there are over 30,000 Tamil asylum-seekers, a recent Federal Court decision that individual political persecution cannot be ruled out by the existence of civil war conditions in Sri Lanka may have a positive bearing on a number of cases, legal sources say.

There are now close to 120,000 Sri Lankan asylum-seekers in Europe, refugee authorities say. Around 2% of this year's 20,000 influx may be

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Whither Sri Lanka?

Four Major Areas for Immediate Rethinking

by Prof. C. Suriyakumaran

Every newspaper on the recent Independence Day was full of the 40 years of our national losses, of wasted opportunities and hopes for the future. We were confident, each of us, in our opinionations during crucial periods of these 40 years – especially the politicians and kindred leaderships – and would not listen. We are all now talking of reversing all this.

Are we still with such opinionations, though different in form, confident as before about their correctness – and not listening? Sadly, that seems to be the case, with all of us going into another 40 years of the same, if we really do not try. Right now, there loom four major areas of such inadequate thinking and this appeal is a humble plea for their immediate consideration by all concerned. Those areas are:

The decision on the '75% Ethnic Ratio for the Sinhalese' in all Central Services irrespective of merit;

The pervasive disillusionment of youth (in fact the people at large) and the well-meaning plethora of recommendations of the Youth Commission's Report;

The crucial aspect of fiscal devolution and development for the provincial councils; and

The ever-continuing reality of national dependence, debt and poverty in the next 40 years.

On them, together, depend the realisation of long-term prosperity, unity and independence.

I. The '75% Ethnic Ratio'

Perhaps, not since the legislation for Sinhala only, has a measure been introduced, so retrogade and so potentially divisive. It is amazing that no political or other groups or individuals have had anything to say on this. Those who were responsible for it may perhaps not have been even fully aware of its future implications for the country. The only difference is that, unlike the Sinhala Only Bill, this measure, when brought, would work as much against the Sinhalese themselves in the present National context, as against the Tamils or other communities.

On the face of it, the proposal looks a simple national scale application of provincial level criteria. What is good for the provinces, is good for the country as a whole. It seems fair, even non-discriminatory. In effect, it is much worse – for it will, in the end, be divisive, the last thing a central government at least should want.

We may leave aside for the moment certain other considerations such as say, the need for a 100 per cent Tamil speaking staff for a Tamil translation branch, even it be central government; or its effects on and in the private sector; or that it is even more effective than the old notorious standardisation; and so on. What is at stake is something far more, viz. whether the 'State' as a whole, is a patch-work of communities in ratios; or, is a unitary state.

Leaving aside parallels, in other countries that are even more federal than Sri Lanka wishes to admit for herself, wherein central services are without ratios and on merit recruitment, we can see how this would work here in terms of interest in the centre by the periphery, where other communities than the Sinhalese are predominant and run their affairs. In reality, recruitments to both central and provincial Services should be on merit and not ratios, with only the proviso that in all Sinhala-speaking areas and in all Tamil-speaking areas respectively, the particular language proficiency is a condition.

Let us, for the time, look at the centre. The effect of an ethnic ratio policy would soon be a 'distancing' of the Tamil-speaking areas from the centre, lack of interest and concern, eventually suspicion and hostility (for, the centre 'rules' the country), and in the end the defeat of a 'unitary state' concept. This is the last thing that the Sinhalese would want; and certainly not something that Tamils would want to engineer. The present proposal however, in seeming assertion of Sinhalese right, has placed a time-bomb on the very doorstep of national unity and identity. We refused to believe it of the Sinhala Only Bill then; will we refuse to believe it of this now?

Related to this is a lack of thought on the status of the capital city, Colombo, in a devolutionary, pluralistic set-up as we have now. It is vital, mutually, for the same reasons as above, that a demarcated Greater Colombo area be set apart as a 'Central Government' city (on the lines of all similar capitals in other countries) with a national outlook, focus and features. It is not a creation of 'federalism', or of Colombo per se; if the capital of Sri Lanka were Jaffna city, the same principles – of habitation by all communities, equality and national policy – would apply.

This matter, of the new proposed 'Ethnic Ratios' for Central Services is so vital to the future that it must not be a 'party' matter and should not be controversial. It must be approached not as an 'adversarial' issue but as a consensual one. It is essential that all those who think alike on this matter, Sinhala or Tamil speaking, should get together as a group.

II. Public Disenchantment and Youth Commission Recommendations

The diagnosis of the malaise by the Youth Commission's Report, at least as so far made available, is not new, not in dispute, and is ably made. Its well-intentioned, numerous recommendations may however not take us much beyond the present. The following urgent observations are made in the light of this need:

There is a surfeit of recommendations for setting up of various Commissions or other bodies on various topics, including a commission to set up these Commissions. Apart from inherent considerations, neither commissions nor ombudsmen, as designed, can be expected to reduce youth or people's disillusionment with the 'system' in its various areas and aspects. In Administration the mass of people want accessibility, speedy solutions (not more problems) and convenience (certainly lack of harassment). For 'livelihood' (i.e. the economic side) they want silent, solid creation of employment opportunities that last, and their association in the process.

(i) Starting from the village areas, up, the first reform should be acceptance of the principle that, for any resident, no need (administrative, welfare, economic) that arises in the village area should have to go outside that area for solution.

The dispensing of all these should be by election of a village area group of citizens who will handle, through agencies and cooperative societies and their local officers, all their functions – of receiving supplies or ideas from top, and furnishing them to the people.

At the village area level in the forties under S.W.R.D. Bandaranaike, a short-lived Development Plan preparation System was launched in one district using entirely local leaders to undertake the planning of their areas, with truly revealing results and inspiration. The whole exercise obviously being decades before its time, it came in for immediate opposition from entrenched bureaucracy and did not proceed further.

Any needs that arise at the Pradeshiya (former D.R.O./A.G.A.) level should be dispensed at that level. Rarely should the villager have to go to a Kachcheri (Provincial Council Secretariat) and hopefully never to Colombo, with officials coming down to the village areas as far as possible. This is as a permanent system, to be distinguished from a mobile secretariat.

(ii) This means that all matters, including such as permits, certificates

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or licences, seed or fertiliser and others should be so handled. In all cases, especially where items are reserved for provincial or Colombo 'administration' it should be accepted as a principle, (a) that the citizen should not have to queue either in the sun or rain, unwanted; and (b) should be served on a 'one-stop' basis. Where endorsements or signatures etc. are required within an office, the citizen should not have to run from pillar to post (and as usual be harassed), but the officer at the One-Stop desk should be equipped to have the paper go round his office. (c) Where 'windows' are clearly not enough (e.g. for road licences, passport issuance, customs entries) it is the windows that must expand and not the queue. Where needed, e.g. for all public utilities payments, taxes and the like, banks and post offices should be freely authorized to receive such payments, at which point the transaction for the citizen should be final. In all these cases, from the village agriculturist and artisan to the urban worker and ratepayer, it is the citizen who is doing a favour to the Government and not the officials to the citizen, as the officials often think.

(d) The departmental premises of Government and other agencies are often widely and irrationally dispersed, difficult of access and inside, unkempt, disorderly and uninspiring. It is not such a diffuclt task as those who perpetuate it may think, to streamline all this – with little additional cost and enormous enhancement of office competence and morale and public benefit.

(iii) There are already competent bodies or points of authority in some crucial areas where the Youth Commission's Report calls for brand new commissions or bodies. But there is another consideration as well. Commissions and ombudsmen designed to 'look out' and to receive complaints will end up only being ad hoc in approach, uncertain in results and illogical in design. Instead, what those at the receiving end look to is a commission or ombudsman, with the right staff, responsible only to the president, to reform the functioning of key offices of 'Government' – e.g. transport, telecommunications, power at the Centre and for supplies of input and offtake of produce to the market, including educational, health and other services, at the village area level – and to make them really function smoothly.

Such a change would transform the whole relationship and produce the awareness that the people matter and are being served. (This should include the old rule of 'an acknowledgement to any request in 3 days, and a solution in a fortnight; else it shall be specifically explained')

(iv) The law may not be as much of an ass as the proverb states, but the inane delay of justice has been tantamount to betrayal of basic right. As in all the foregoing, the poorer the people, the severer the plight. The adulation of the dignity and pageantry of the judiciary should be abandoned and a vast expansion of capacity as needed, down to the village level, and honest relating to people is badly required in order to eliminate the sense of frustration that pervades this domain. (The Youth Commission Report does touch on this aspect in suggesting Conciliation Boards and the like).

(v) If these were done, the keen sense of exclusion felt by the non-English speaking masses of the people would disappear; for it is the inability to get their genuine needs met that is their real problem – in services, in education or in employment. Even if they knew English they would face the same problems, given the 'system'; especially if they were also poor. The teaching of English can then be pursued for its own sake, particularly as a vehicle for enhancing the educational opportunities of youth. (The Youth Commission has made useful recommendations in this regard).

It is only proper to end this Section with the remark that one remains full of admiration both for the members of the Youth Commission and for the devotion with which they had set about their task.

(vi) Finally, there is no use for any number of commissions and other devices, if the law and administration continue to be interpreted, and used, against the ordinary people struggling for self sustenance despite lack of state support or facilities. The view on pavement hawkers, slum dwellers, or on the poor who are environmental polluters, are examples. Until the state can provide alternatives, the honest efforts of the poor must be recognised, even supported, rather than harassed. For example, in the enforcement of environmental law in which there is so much holy mouthing, where a poor villager, say, throws away fish waste-silage, he will be hounded and prosecuted; but silage is a waste that can be converted into excellent fertiliser (in a resource starved and a foreign exchange burdened economy). Who then is the 'criminal' – the citizen or the State? Many examples abound of this type with our science institutes as well, mainly indulging in other fanciful pursuits, or awakening to the former only too late and too slowly.

(vii) While one must remain totally against corruption, it cannot be eliminated or greatly reduced by creating commissions. As was once stated in a U.N. meeting, there is corruption even in rich countries, perhaps more than in the poor. The difference was that they could afford it, but we could not. Also we must remember Arthur Lewis warning, that far more has been lost to developing countries by 'poor decisions' than by bribery. What we set out above, along with what we have to say below under 'Poverty', should help far more.

(viii) There are also several other areas, e.g. public transport and the future of private cars, and others. Neither space nor sense recommend that we go into them now. It is enough if what we set out for the present can be carried through.

III. Fiscal Devolution and Development

There have been enough accusations that the provincial councils system is not being allowed to function effectively. True or not, the full and successful functioning of the North East Provincial Council is an essential foundation of future satisfaction and national unity. While there are other aspects (specific issues like colonisation and the like) that of fiscal devolution is a key to good faith as well as good functioning.

Basic to this is that devolution must imply 'a sharing of the national financial resources' between the centre and the periphery, taken as a whole, and not a hand out by the centre. A basic element of this sharing is the allocation of shares of income tax and excise revenues to the periphery in agreed proportion, as a basis for the councils' financial autonomy and freedom from the restrictions of unilateral central whims. Upto now, the councils have received only grants and may continue to be given only these as their basis of financing. (The tax sources at present provided in the 13th Amendment to the Provincial Councils are negligible).

The allocation of shared taxes as above is fundamental to devolution, which must be sharply distinguished from decentralisation which the present financing practice reflects, and de-concentration. The 13th Amendment talks of an 'allocation from the annual budget' (not a grant from the Consolidated Fund) and this should provide a basis for carrying immediately the principle of 'sharing' income and excise taxes; if it does not, the provision must be amended to make clear the accommodation of 'shared' taxes as a legitimate and essential source and basis of financing and functioning of the provincial councils. (An overall institutional need in this connection is that the Finance Commission should not contain any government servants, preferably headed by a senior retired judge, with others of recognised standing in fields essential to the task). Collateral with this must be effective freedom to the provincial councils to formulate area development plans and through them to explore and attract investment capital for their development. There should be no short-sighted confusion of the umbrella 'policy' prerogatives that the centre enjoys under List II of the 13th Amendment, with

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NEWS ROUND-UP

● **SINHALESE PILGRIMS** from the south and elsewhere have once again begun visiting the historic Nagadipa Vihare at Ninativu in the Jaffna district after nearly seven years. Foreign tourists too have begun to make their way into Jaffna in considerable numbers.

● **GAMINI DISSANAYAKE,** recently ousted from President Premadasa's cabinet has suffered further victimisation – he has been removed from the ruling United National Party's Working Committee and also removed from his post of President of the Lanka Jathika Estate Workers Union. Ranjan Wijeratne, the Minister for Plantations and State Minister for Defence has taken Mr. Dissanayake's place in the Union.

● **FORTY-SEVEN POLICEMEN** who were attached to the Batticaloa police station were transferred on 16 April along with Sub-Inspector, Mr. Senanayake, in consequence of a dispute between the police and the LTTE. According to the LTTE spokesman, some policemen had behaved in an improper manner by cracking jokes at some women of the area who were returning home after attending Mass a few days earlier. LTTE armed cadres had surrounded the police station to question the men concerned at which point shots were fired from inside the police station. The LTTE apprehended four policemen and had detained them for questioning in this connection and released them later.

● **MIGRANT SINHALA AND TAMIL** fishermen from Negombo and Chillaw who arrive during the fishing season and reside along the coast of Trincomalee have been told by the LTTE that they must pay up to Rs.50,000 collected from among all at each 'wadiya' for each fishing season. The payment was for the duration of the entire fishing season which would last about ten months. Meanwhile the LTTE is maintaining a 24-hour check on the fishing operations by each wadiya to calculate the quantities of fish being netted with each catch. According to Fisheries Department officials, the LTTE was also assisting them to settle disputes among fishermen which arose when these fishermen often drifted into each other's fishing areas.

● **A MASS RECRUITMENT** programme to take in over 6000 personnel as police reservists in the North-East of Sri Lanka commenced on 19 April. 6000 Tamil and Muslim personnel would be recruited to service in police stations in the Jaffna, Mannar, Vavuniya, Trincomalee and Batticaloa districts.

● **THE TAMIL NADU** (South India) government has decided to set up a monument and a memorial hall in Valloor in honour and respect of the last King of Sri Lanka, Sri Wickrema Rajasingha. The State Government has allocated a sum of seven lakhs of rupees. The King was captured by the British in March 1815 and was exiled to Mauritius islands in February 1816. He passed away in 1824 in a prison and was buried in Valloor. The Indian central government had already approved the construction of the monument and memorial hall.

● **MINISTER OF JUSTICE,** A.C.S. Hameed had said that he would require more time to persuade the LTTE leadership to hand back the Jaffna Head Quarters of the Tamil Congress located in northern Jaffna, according to its leader Mr. Kumar Ponnampalam.

● **AN ALLEGED JVP,** 19-year-old activist who had admitted killing 70 persons including Mr. Thevis Guruge of the Sri Lanka Broadcasting Corporation, Mrs. Gladys Jayawardene, sister of former President J.R. Jayawardene, and Mr. Gunaratnam, a prominent Tamil businessman was arrested by the police on 25 April, according to the State Minister for Defence, Mr. Ranjan Wijeratne. The alleged JVP man had been operating with nine other 'hitmen' and had also been responsible for the bomb attack on a Sri Lanka Airforce patrol in Colombo.

● **THE POINT-PEDRO** and Valvettithurai police stations which were forced to be closed down recently by the LTTE following alleged misbehaviour of some police officers towards a woman were reopened on April 20. The reopening of the stations manned by approximately 40 officers occurred following discussions between Justice Minister A.C.S. Hameed and the LTTE leader V. Prabhakaran, and the police had resumed providing some designated security tasks.

● **THE NUMBER** of lorries plying to the North-East are reported to have declined in the wake of the 'taxes' levied upon them by the LTTE. An example of the decline is very much in evidence at the Prima Flour Milling factory at Trincomalee from where flour stocks are transported to the south, a spokesman for the factory is reported to have said that it may have to slow down or even cease production due to lack of storage facilities as lorry transporters from Colombo are reluctant to visit the factory.

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use of it to delay, retard or otherwise dampen provincial drive or initiatives.

The foregoing two matters may look like operational ones not likely to be of national significance. In reality, when the process of devolution and development in the regions begins to be created, these two, more than any other issue could well prove to be the most important causes of disillusionment with the Centre and the collapse of the entire fabric of National consensus. Wisdom and understanding are needed now and cannot be summoned later after the damage has been done. We had the case of the District Development Councils (DDCs).

IV. National Debt and Poverty

None of the development policies on board so far, however beneficial in their limited ways, will pull the country out of the trap of dependence on foreign aid and increased debt and continued poverty, unless an essential fundamental policy of manufacture of selected ranges of machinery, tools and equipment drawn from all sectors (agricultural, industry, transport and services) is launched early and country-wide at small, medium and large levels.

Failing this, 40 years from now, we shall be as we were 40 years after Independence. The Decade of the Nineties must be dedicated to such a programme, along with the other policies stated above. It is the enlargement of the domestic production base through such policy that will remove our abject dependence on imports for all development inputs, raise our export values in the only meaningful sense of the term, and eventually change the picture of our international debt and zero foreign exchange balances and eliminate poverty permanently. The strategies for them are available and the target can be achieved – given the decision to do so. It is the failure in this area that in fact has created the pressures in the other areas such as those mentioned above. (The Youth Commission echoes a similar sentiment). While they are all 'time-bombs', this perhaps is the worst. If we remain complacent, or seek only palliatives, not all the King's Commissions nor all the King's Ombudsmen would put the country back on its feet again. The chances of a different 40 years from now are in our hands. One can only be humble and hope that we will take the decision. Independence Day next year may tell us.

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Sinhalese fleeing the civil war in the South.

In Britain, where refugee figures trebled last year, 1,515 Sri Lankans arrived, claiming asylum. Provisional figures suggest almost no refused cases were deported as compared to 1988 when over 100 Sri Lankan Tamils were forcibly returned to Colombo.

Legal sources say few decisions are now being made on Tamil cases and immigration authorities are clearly adopting a wait-and-see policy in the light of the changing situation in the North-East Province of Sri Lanka.

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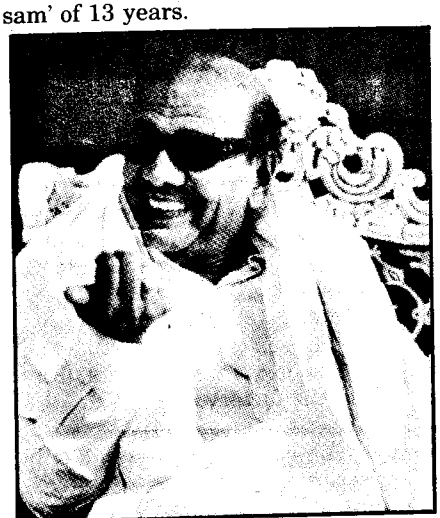
MADRAS NEWSLETTER
by ARJUNA

Karunanidhi Weathers Many a Storm

Never before has Chief Minister Muthuvel Karunanidhi been in the centre of so many political storms as he has been within the past two months of March and April; and most of them involving the Eelam Tamils and the Liberation Tigers. Roundly and persistently criticised by both the Congress-I and the AIADMK, both within the Assembly and outside, both for what he did as well as what he failed to do, Mr. Karunanidhi has however weathered all the storms with considerable aplomb. In fact he has been exhibiting the kind of breezy confidence that was not so evident even when he staged a come-back to power over one year ago – after an enforced political 'vanavasam' of 13 years.



KARUNANIDHI

It all began when he refused to admit the EPRLF-ENDLF-TELO-PLOT refugees into Tamil Nadu in early March, with the first of the two ships, the 'Harsh Vardhan' lying anchored three miles away from the Madras harbour for several hours and later in the east quay for several more hours. It was a rude surprise for the refugees who unlike normal refugees did not come on their own; they were brought to India officially, in ships chartered by the Indian government authorities themselves. An EPRLF leader, Mr. Premachandran told the Press that when the refugees left Trincomalee they were told they will disembark in Madras. 'I do not know what is going on. The Government of India has organised this ship. Something is wrong in Tamil Nadu', he said. Whatever was wrong, Mr. Karunanidhi's response was a positive 'NO'. The rest of the story is known – how the ship was diverted to Visakhaptnam in Andhra Pradesh, how a Congress-I government in that state also refused to admit the refugees, and eventually the Biju Patnaik government in Orissa acceded to a personal request from Prime Minister V.P. Singh to harbour these unwanted people. It was not really something wrong with Tamil Nadu, as the EPRLF spokesman said. Something was seriously wrong about the whole arrangement. Who decided to bring the refugees to India – was it the Central Government? If so, why was not Mr. Karunanidhi consulted in the first place? If he was informed about the arrangement, was he taken for granted in the issue? Or did Mr. Karunanidhi go back on an undertaking? Whichever it was, it was clearly an act of defiance of the Centre by a State government – possibly the first instance in the history of Centre-State relations where the State government was itself a constituent member of the government in the centre. If the IPKF operations were themselves botched by various Indian agencies working at cross-purposes with each other, here was a classic instance where even at the tail-end of the story, the same story was repeated. It has to be remembered that the problem of the Orissa refugees yet remains unsolved.

Mr. Karunanidhi next got into controversy when he refused to associate himself with the reception accorded at Madras harbour to the final contingent of the 'de-inducted' IPKF. How can I receive a force that was responsible for the killings of 5,000 of 'my community'? – he said in the Assembly. The Janata Dal leaders were known for their critical attitude to the very induction of the IPKF by their predecessor government, but in power they had to stick to form, and protect the already sagged morale of the Indian Army, particularly when war clouds were gathering over Kashmir. So Mr. V.P. Singh deputed the scientist Union Minister of Defence Dr. Raja Ramanna to do the formal honours in Madras, assisted by Governor Alexander, and himself received the specially air-flown contingent in Delhi, while pocketing the second act of defiance on the part of a State Chief Minister. But Congress-I, AIADMK and CPM members kept on nagging Mr. Karunanidhi on the issue at Assembly sessions. Defending his absence at the reception, he said that former Prime Minister Rajiv Gandhi had misused the Indian Army, and pained by the consequences which cost the lives of 5000 Lankan Tamil lives and 1800 Indian lives including Tamils, he could not in all conscience honour the return of such an army. He went on to read out lengthy excerpts from LTTE leader Mr. Prabhakaran's letter written to him in 1988, wherein the latter had contended that the IPKF was out to decimate his group and the Rajiv Gandhi government was spurning all offers for cease-fire and talks.

The furore did not end there. It erupted in the Rajya Sabha in Delhi when Congress-I members alleged that Mr. Karunanidhi had first refused to take in Tamil refugees at the behest of the LTTE, and later made 'unpatriotic remarks' about the Indian Army. With DMK firebrand V. Gopalaswamy asserting that 'it was a fact that the IPKF had indulged in the killings of Tamils and other terrible acts', there was uproar in the House, while Sri Lankan Speaker Mr. Mohamed on a visit to India happened to be an interested spectator in the gallery. It took all the diplomatic skills of Government front-benchers like I.K. Gujral and Gurupadaswamy to bring order, while not letting down the IPKF on the one hand and on the other hand not accepting the condemnation of Mr. Karunanidhi either. Forced into such acts of tight-rope walking, the National Front government leaders do not seem to know how best to contain a constituent Chief Minister who is becoming increasingly aggressive. As for Mr. Karunanidhi, he appears to be sitting pretty, because he knows that as long as there is a strong nexus between the LTTE (in physical control of northeast Sri Lanka, and now apparently even the Palk Strait) and the government in Tamil Nadu, any Delhi government would be hard put to cross swords with him.

Which probably made him even conciliatory towards the LTTE, on an issue involving fishermen belonging to his own State. There was naturally a hue and cry when it was reported that over 300 fishermen of Nagapattinam who had gone out fishing on the high seas were missing. Mr. Karunanidhi conceded that they were taken away by the LTTE, admitted that the fishermen had violated maritime borders, and went on to describe in the Assembly how the fishermen were well treated by the LTTE, given good food and shelter for the night, treated to video shows, and sent back safely. Mr. Karunanidhi said that all this information was given to him by the fishermen themselves, who were advised by the LTTE to stick to their own maritime waters. The Chief Minister even punned on the name of the village on the

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ACUTE SHORTAGE OF DRUGS

Several basic and essential drugs are out of stock. Medical authorities claim that the drugs have not been available for as much as six months.

High on the list are the essential low-cost drugs such as *Aminophyllin* tablets and *Deriphyllin* tablets, intravenous and *Deriphyllin Retard* tablets for asthma, *Verapamil* and *Nifedapine* preparations which are cardiac drugs, low cost vitamin preparations, and other drugs such as *Perclorperazine, Promethazine, Trifluperazine* and many others.

Instead the low cost drugs are available in preparations which cost the patient very much more. for example the cardiac drug *Verapamil* is currently available in preparations costing over a rupee. The less expensive form costing 60 cts has been out of stock for months, Vitamin C tablets which cost 10 cts per tablet are also out of stock. Only 500mg. Vitamin C which is more expensive is available.

Worse affected are the patients who depend on private medical care, says a doctor. 'Drug traders are importing only expensive drugs as they get more profit', says the doctor.

Another doctor says that even the State Pharmaceuticals Corporation (SPC) seems to be following this practice. 'They too seem to be getting down only the expensive drugs', says the doctor.

'As far as the SPC is concerned we are not short of any drugs', says SPC Chairman, Mr. Lakshman Ranasinghe.

But many are still not satisfied. At Osu Sala outlets many of the inexpensive drugs are not available and patients have to spend more on expensive formulations of the same drug.

'Even the international drug concerns sell inexpensive drugs together with the expensive drugs for the convenience of the people rather than selling only the expensive drugs for profit. Something should be done for it to be so in Sri Lanka too' says another doctor.

Meanwhile the Independent Medical Practitioners Association and the College of General Practitioners, Sri Lanka, have informed the Chairman of the State Pharmaceuticals Corporation on the shortage.

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northern coast to which the fishermen were taken – 'Inburuthi' – a Tamil term meaning to make one happy. Soon after, another batch of 57 Tamil Nadu fishermen were reported to have been taken captive by the LTTE, and released again with a warning, after being detained at the Talaimannar LTTE camp and photographed. In the face of more criticism by Congress-I and AIADMK leaders who were determined to make political capital, Mr. Karunanidhi's response was muted. He said that he had appealed to the Centre to take the necessary initiative to demarcate clearly the ocean boundaries, so as to enable Indian fishermen to keep within the Indian zone. It is therefore clear that he sticks to his position that while Indian fishermen continue to violate maritime boundaries, they cannot expect protection.

Meanwhile, the campaign against Mr. Karunanidhi on all four issues – his criticism of the IPKF, his refusal to participate in the reception, his refusal to admit the Orissa refugees, and his stand on the fishermen issue – is snowballing even outside Tamil Nadu. On May 2, the journalist-turned Congress-I politician and spokesman Mr. M.J. Akbar told correspondents in Delhi that the reported accusation by Mr. Karunanidhi that the IPKF had indulged in genocide in Sri Lanka as 'the highest possible insult' to the Armed Forces, and wanted the Prime Minister Mr. V.P. Singh to explain if he regards the charge as accurate. Stressing the point that the army should not be made an object of politicking, he accused Mr. Karunanidhi of 'kicking the Indian Army to serve his political moves'. Mr. Akbar was of course being far-fetched in his views in his anxiety to bring about a cleavage between the Centre and Tamil Nadu. In the first place, Mr. Karunanidhi never accused the IPKF of genocide pointedly. Mr. Akbar's former newspaper, The Telegraph had interpreted Mr. Karunanidhi's remark that 'skeletons were found in the camps vacated by the IPKF' as implying that the IPKF was guilty of genocide. Mr. Karunanidhi was merely repeating a statement to that effect made by the LTTE. The insinuation that Mr. Karunanidhi was encouraging secessionism in Tamil Nadu was a serious political ploy, at a time when the threat of secessionism was increasingly being felt in the north – in Kashmir, in Punjab, and in Assam. While Mr. Karunanidhi went on record as saying that he was even prepared to be dismissed by the Centre for exposing the misdeeds of the IPKF, he had to take care to see that the charge of secessionism was countered effectively. Tamil Nadu Congress-I President Mr. Vazhapadi Ramamurthy has been busy alleging at various meetings that after the advent of the DMK government, separatist forces which had been dormant for some time were active again; that the Liberation Tigers were moving about freely in the state canvassing support for their demand for a separate Tamil Eelam; and that the militants had set up camps in the state and were providing arms training. Apart from the AIADMK, other political parties like the CPM and the BJP had also joined the Congress-I chorus.

While opposition allegations might be considered exaggerated politicking, it has also to be accepted that Mr. Karunanidhi's politics is entering a new phase. The Tamil Eelam nationalism is already beginning to have a perceptible influence on Tamil Nadu nationalism. Mr. Prabhakaran is as much a formidable influence in Tamil Nadu as he is in Sri Lanka. The Dravida Kazgagam under Mr. Veeramani is virtually acting as a link-up force of the LTTE, and Mr. Karunanidhi cannot afford to strain his links with the DK in turn. With men like M. P. Nedumaran actively campaigning for the LTTE and with his own Rajya Sabha M.P. Mr. Gopalaswamy continuing his fiery support for Mr. Prabhakaran, it can even be said that there is no choice as far as Mr. Karunanidhi is concerned. His very stay in power and his image as a Tamil leader cannot be sustained, except by linking forces with an increasingly dominant LTTE. He is also aware that the National Front government, besieged as it is with overwhelming national problems in the north, is in no position to take him on in the south, even if it wishes to. As for the frenzied campaign against him by opposition political forces, it had hardly any impact on the people. The Tamil-language Press, both the dailies and the periodicals, are by and large aligned with the DMK, with at least three dailies, the 'THINKARAN', 'MURASOLI' and 'MALAIMURASU' controlled by the party. At the same time there are three Tamil weeklies, 'JUNIOR VIKATAN', 'NAKKEERAN' and 'DEVI' which have consistently projected the LTTE and Mr. Prabhakaran in their columns. Even the long-standing, popular weekly, the 'ANANDA VIKATAN' had displayed admirable empathy with the Eelam Tamils' cause. Given all these factors, it could be said that he is right now on velvet. He looks good enough to ride many more storms.

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From Page 6

for abortions according to Dr. Kularatne.

He told his fellow doctors 'Women would come, hold your arms and promise you heaven and hell, but never perform an abortion'.

326 Undergrads Missing

Three hundred and twenty-six university students are reported to have disappeared, according to the latest reports of the University Grants Commission (UGC).

The largest number of missing students – 101 – is reported from the University of Peradeniya while 65, 52, 51, 40 and 17 students are reported to have disappeared from the universities of Sri Jayawardanepura, Ruhuna, Kelaniya, Colombo and Moratuwa, respectively.

Meanwhile, 251 University students are still held in custody by the security authorities, although the Universities here reopened in January. Sixty-eight of these are being held in the Kalapaluwava rehabilitation camp while 45 are at the Welisara Navy Camp. The Boosa and Pelawatta detention camps hold 16 and four university students, respectively, while a single bhikku student of the University of Kelaniya is detained in the Poonani detention camp.

The rest of the University students in custody are detained at various police stations and in security forces camps throughout the country.

Of the total of 251 in custody seventy students are from the University of Peradeniya while the Universities of Ruhuna, Sri Jayawardanepura, Kelaniya, Colombo and Moratuwa have 61, 59, 30, 19 and 12 of their student population in the custody of security authorities.

UGC sources also revealed that 74 University students had been released and handed over to their parents since December last year by the Ministry of Defence, through the UGC. This number included 56 from the University of Ruhuna, nine from the University of Colombo, four from the University of Peradeniya and two each from the Universities of Sri Jayawardanepura and Moratuwa.

LTTE BAN ON PUBLIC COMPLAINTS TO POLICE

The Liberation Tigers of Tamil Eelam (LTTE) has imposed an immediate ban on public lodging complaints with the police in the North-East and warned the people that they would be fined if their order was violated in any form.

Fines ranging from Rs. 100 to Rs. 1,000 would be levied on violators, depending on the nature of the complaints made to the Police, residents in the region had been told. The fines imposed have to be paid to the nearest LTTE 'political office' and a receipt obtained, it is learnt.

All types of offences, including murder were being handled by the LTTE and in most areas of the temporarily-merged Province, the Police have been specially told that it was not part of their duty to look into public complaints, security officials in the region indicated.

A prominent lawyer in the East who asked not to be named said that he was now at home existing on what had been 'salted away' as the courts were closed and his practice had come to a standstill. 'The LTTE is doing the job now', he added.

An Officer-in-Charge of a Police Station in the North-Eastern region admitted that the number of public complaints had recorded a sharp drop. He said that complaining to the Sri Lanka Police in the province was a futile exercise as their functions were grossly restricted.

The LTTE 'arrested' people on complaints made and the suspects were detained until investigations were complete. After that the suspects were produced before the LTTE Courts and either sentenced or fined if found guilty.

Brahmi Writing of 750 BC Found

Early Brahmi writings on pottery dating back to 750 BC found in Anuradhapura in association with finds assigned to the pre-Devanampiyatissa era has created a sensation in archaeological circles.

Prof. P.E. Fernando an eminent epigraphist, and Mr. W.S. Karunaratne, former Commissioner of Archaeology, who examined these letters on pottery are of the view that they belong to the ancient Indo-Aryan Prakrit – an Indic language or dialect other than Sanskrit.

Further scientific tests conducted in the USA have indicated the existence of writing in Brahmi scripts to a date several centuries earlier than hitherto believed.

Scholars have until recently held that writing first appeared in India and then in Sri Lanka during the reign of Emperor Asoka around 250 BC. A test on a sample of the layer earlier indicated an age of 5th century BC, (Sunday Times, February 18, 1990). But radio-carbon tests from the USA now confirm this age to be 750 BC.

Dr. S.U. Deraniyagala, Assistant Commissioner of Archaeology, and Director of the Anuradhapura citadel excavation project said: 'It is now apparent that writings in Brahmi script were practised in Anuradhapura at around 750 BC'.

The results of the tests which were conducted at Beta Analytical Laboratories, Florida are expected to make a major breakthrough in the South Asian history and archaeology, and also revolutionize our ideas as to the beginnings of writing not only in Sri Lanka, but the entire Indian Subcontinent as well.

The excavations were conducted by Dr. Deraniyagala, and was assisted by Dr. C. Raymond of the Sorborne University and the school of Far Eastern Studies, Paris.

Salaries Stopped

The government has stopped the payment of salaries to all 365 personal security officers of Ministers and members of the North-East Provincial Council with effect from March 1.

The Deputy Inspector-General in charge of the North-Eastern Range, T.E. Anandarajah, had in a letter dated March 21, 1990, addressed to the Leader of the Opposition of the 73-member council indicated that he had been 'directed by higher authorities to terminate all payments to the personal security officers of the North-East PC with effect from March 1, 1990'.

Mr. Anandarajah had requested the Opposition Leader to inform all members of the council of this decision.

Each PC member was provided with five personal security officers who were hand picked by them. The men were given arms training by the security authorities and all payments, salaries, allowances, etc., were made by the Central Government.

Transport Minister of the North-East PC M. Abu Yusuf said that the security personnel had not received last month's salary and as a result of the stoppage of dues, the councillors had to 'pocket out'.

'I am a PC Minister but I don't have any security now. There are threats. What are we to do? I have only my willpower', he added.

Mr. Yusuf noted that they were now in a helpless position and with the termination of salaries to the security officers assigned to members the risk the councillors faced had become a matter for concern.

Opposition Leader Cegu Issadeen said that the members had to either pay out of their pockets for their security or have no security at all and be exposed to threats.

The payment of wages to the personal security officers of the solitary UNP member in the council, M. Mashoor Moulana, had also been stopped following this decision.

The North-East PC consists of 55 EPRLF-ENDLF members, 17 SLMC members and 1 UNP councillor.

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Book Review

OUT OF BONDAGE by T. Sabaratnam (*Published by the Sri Lanka Indian Community Council. Rs: 250/=*)

The book *'Out of Bondage'*, a biography of S. Thondaman by T. Sabaratnam, a senior journalist in the Lake House, was released on the 26th February, 1990. The book was published by the Indian Community Council to mark the 50th anniversary of Mr. Thondaman's service to the people of this country especially to the Tamils of recent Indian origin. This is the third book about the life of Mr. Thondaman. The first was an autobiography in English *'My Life and Times'* (Volume 1) and it was released on March 2, 1988. The second was a biography in Tamil by S. Sivanayagam titled *'Thalaivar Thondaman'* which was released in 1989.

The book *'Out of Bondage'* consists of 13 chapters in 248 pages. The author sums up Thondaman's life as a dedicated trade union leader and an astute politician. He had covered Mr. Thondaman's activities for over three decades and had preserved notes of his meetings and interviews which he has had with Mr Thondaman. He says in his introductory note that he was one of the few journalists who watched Mr. Thondaman's gradual evolution from a trade union leader to a national leader.

This book traces the life of a man who has won the respect of all communities in this country. It is the political biography of Mr. Thondaman during the last 50 years. What is fascinating about the book is that the author recounts a large number of anecdotes and incidents which gives an 'insider's' view of the way in which Mr. Thondaman conducted himself and developed his qualities of leadership. Readers will find in it a wealth of information about important political events of this country in which Mr. Thondaman was involved. The major landmarks of Mr. Thondaman's life are well known to many and the author refers to some of them in the fluent journalistic style in which he writes.

Mr. Sabaratnam recalls that Mr. Thondaman's greatest wish was to secure citizenship rights for all those who had been rendered stateless after 1948; and, he was able to achieve this after many years of strugggle in 1989. He also lays emphasis on the way in which Mr. Thondaman regards his work in the CWC. Although Mr. Thondaman has built up the CWC since 1940, he repeatedly says 'I never think that the CWC is there because of me. I believe that I am in this position because of the CWC and my people'.

The author also focuses attention on all the improvements he has brought about in the educational facilities for Tamil children in the plantations. Housing is another area where Mr. Thondaman wants to bring about improvement and that he has also constantly encouraged plantation youth to undertake self-employment schemes like dairy farming, poultry keeping, etc.

It should be pointed out that although the author has stated that Mr. Thondaman was sworn in as Cabinet Minister in 1975, the fact is that he was sworn in only in 1978. In this connection Mr. Sabaratnam quotes Mr. Thondaman as follows 'I have joined the Cabinet not for personal glory but to use my position to achieve the betterment of the plantation Tamils', Thondaman himself has repeatedly said, Mr. Sabaratnam has written, that he was not a 'yes man' in the Cabinet and would never fail to disagree with anyone in the Cabinet if he felt him wrong.

$90 Million From World Bank

Aid giving nations are expected to chip in with more assistance to Sri Lanka outside what they have already pledged at the last Aid Group meeting.

Informed financial analysts disclosed recently that the World Bank would lead a drive to obtain more funds for Sri Lanka's economic development with next week's approval by the World Bank Board of Directors of a US $90 million loan to Colombo.

This crucial economic recovery loan, which is being granted at very low interest, is a reward for Colombo implementing key structural changes in the economy demanded by both the IMF and World Bank.

Among the reforms the Sri Lanka Government has undertaken to implement are the removal of subsidies, restructuring of the public service and privatisation of state owned business undertakings.

At the last Sri Lanka Aid Group meeting held in Paris last October, these nations pledged a record US $740 million in assistance.

This massive loan of Rs. 3.6 billion from the World Bank, was also without any strings attached, sources said. And Sri Lanka was free to spend it as she likes.

Meanwhile a top level delegation from the Treasury and Central Bank is expected to leave for Washington next week to attend the spring meetings of the World Bank and the IMF.

Both Treasury Secretary R. Paskaralingam and Central Bank Governor Dr. H.N.S. Karunatillake are expected to be in the team.

'DAMAGE BY SUBVERSIVE VIOLENCE OVER RS.935M'

Plantation Industries Minister and State Minister for Defence, Ranjan Wijeratne yesterday said that the tentative damage caused to public property outside the North-East as a result of subversive violence was Rs. 935.66 million.

He told the weekly Cabinet news briefing on 19 April that the government hoped to obtain funds from foreign donors to meet the expenditure involved in the reconstruction process.

Cabinet had decided that all Ministries should set apart 25 per cent of their budget for reconstruction coming within their purview.

Mr. Wijeratne explained that the damage was much more as there were other reports from Ministries to come. He said that US Dollars 500 million had been given specifically for reconstruction work in the North-East.

The Minister added that in the plantations sector alone property amounting to Rs. 800 million had been destroyed. Forty factories had been burnt.

Mr. K. Paramothayan *has been awarded the Ph.D degree (Comparative Education) by the University of London for his work on the Co-operative Movement in Jaffna. He carried out an in depth comparative study with specific reference to Education under the supervision of Prof. Brian Holmes, the well known authority in the field of International Comparative Education. His thesis was highly commended by the examiners.*

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Jaffna Hindu obtains best results in North

The centenary year of Jaffna Hindu College has brought her rewards in the field of education. It has topped all the other schools in the North at the GCE Advanced Level examination held last year.

Four students secured A grade in all the four subjects. Three students got 3 As and 1 B. These are the best results in the Northern region this year.

The results further revealed Hartley College, Point Pedro, St John's College, Jaffna, Methodist Mission Girls High school, Point Pedro, Vembadi Girls school, Jaffna, St. Patrick's College and Central College, Jaffna secured the second, third, fourth, fifth and sixth places in order of merit. In all these schools the best performance was grade A in four subjects.

In all the leading Jaffna schools over 50 percent qualified for admission to the university. The percentage of passes in the commerce subjects is higher than last year.

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shall be settled bilaterally. This 'Simla' type formulation shuts out the right of Sri Lanka to take any dispute either to the UN or any other forum. For a small country which may have a dispute with a giant such as India, this does not represent a fair position in the eyes of many Sri Lankans.

Article IV is equally, if not more, unacceptable for it suggests that 'if the security or stability of either state is in danger by external aggression or other threat the high contracting parties shall immediately enter into consultations and take appropriate measures'. The words 'other threats' leave the door open for India to call for consultations in the event of any internal situation in Sri Lanka which she claims is a threat to her security.

This could create dangerous possibilities for interference of internal affairs of Sri Lanka. The rationale for the Indian position can, of course be understood in the context of recent events.

However Article VII states that requests for extradition of persons involved in terrorist activity will be given consideration, whereas the Sri Lanka draft (Art. IV (ii) is, very specific in calling for the deportation of such persons.

Article VIII which deals with military bases, Art. IV which relates to ports, Art. X which relates to the presence of foreign mercenaries or military or intellligence agencies, Art. XI the use of broadcasting facilities solely for public broadcasting, should all be acceptable in form and content and should not present any difficulties to the Sri Lanka side.

Article XII which refers to the consolidation and extension of friendly relations and mutual cooperation, states that the contracting parties should agree to developing the Trincomalee oil tank farm, as a joint venture in pursuance of this. This reference to a specific project is unprecedented and has no place in a treaty of this nature. It should rightly be part of an economic agreement between the two countries.

Article XIII which relates to the establishment of a joint consultative mechanism and Article XIV which refers to the interpretation and application of the treaty should present no difficulties.

Neither should article XV, which refers to the fact of the treaty replacing the letters exchanged, present any problem.

Article XVI which refers to the 20 year period for which the treaty is applicable nor Articles XVII and XVIII which refer to modification and ratification of the agreement should present no problems either.

Political will

These show that the two sides are not too far apart and that the differences can be bridged if the political will is present. Sri Lanka seeks to establish the principle of reciprocity, peaceful co-existence non-interference in the internal affairs, respect for its sovereignty and equality (particularly in the context of the infamous air-drop) – and the non-use of force in the settlement of disputes between our two countries. These principles would provide the framework for the development of relations on a mutually acceptable basis between our two countries.

It is a tautology to state that any agreement should have the widest possible acceptance across the political spectrum of a country before it is concluded. Hence the Sri Lankan President's unusual step of wanting debate on the agreement before it is signed.

Sri Lanka first proposed a treaty in 1988 January. There was no response to this from the Indian side. In March 1989 after the new government was formed in Sri Lanka a fresh draft was submitted. India's response came 10 months afterwards, with the establishment of a new government in Delhi. In the period between then and now, persons and agencies of the two countries, acting independently seem to have indulged in playing transparent games.

But despite the handicap which this has created, if the political will is present it would be possible for the two countries to enter into a mutually acceptable treaty – which could not only strengthen the relationship which is over 2500 years old, but could also serve to eliminate fears and suspicions on both sides of the Palk Strait.

(The Sunday Times)

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MATRIMONIAL

Jaffna Hindu mother *seeks partner for daughter, 29 years, slim, innocent divorcee without encumbrances, partly qualified accountancy, working in civil service. M 384 c/o Tamil Times.*

Senior government official *in retirement in Australia, seeks Hindu bridegroom for educated homely attractive daughter, 31, Australian citizen in government employment. Enclose horoscope with first letter. M 385 c/o Tamil Times.*

Jaffna Tamil parents *seek partner for daughter, 28, British citizen, works as typist in London, owns house near London, is practising Jehovah's witness. Prospective partner should be or willing to be Jehovah's witness. Race, age no bar. M 386 c/o Tamil Times.*

Jaffna Hindu parents *seek good looking girl, U.K. permanent resident, for son, 30, dentist. Reply with horoscope, details. M 387 c/o Tamil Times.*

Jaffna Hindu parents *seek groom, 33-40, for attractive daughter, in high, permanent employment in London, British citizen holding master's degree. Details to M 388 c/o Tamil Times.*

Jaffna Hindu mother in Australia *seeks preferably professional under 39 for daughter, 31, graduate, divorcee, no children, permanently settled and working in Australia. M 389 c/o Tamil Times.*

OBITUARIES

Mrs Nesaratnam Navaratnarajah *(73) beloved wife of the late T. Navaratnarajah, B.A. (Hons), London, Lecturer Jaffna Hindu College, sister of the late S. Sittampalam (Sri Lanka); mother of Balendra (U.K.), Sarojini, Lalitha (both of Sri Lanka); mother-in-law of Shanthi (U.K.), Buvanendran, Sothirajah (both of Sri Lanka); grandmother of Chrishanthi, Jasmin (U.K.), Gobika, Vaseekaran and Gajanthi (Sri Lanka) passed away at 'Nesastan', Kondavil East, Sri Lanka on 21.3.90 – 10 Hill Road, Pinner, Middx., HA5 1JZ. Tel: 01 429 1691. A poojah in her memory was held at the Highgate Murugan Temple, London N6 on 22.4.90.*

Dr. Parameswaran Kandiah *(51) of General Hospital, Hartlepool, U.K., formerly of Karavanella & Castle Street Hospitals, Sri Lanka; beloved husband of Pathmasani, father of Thayalan and Pathanjali; son-in-law of Mr. C. Subramaniam (Orator), Retired Principal, Skanda Varodaya College, Sri Lanka and Mrs. A. Subramaniam; brother of Col. Kandiah (U.S.A.), late Nirmalan, Saravanan, Kuruparan, Mrs Yogam Nagendra (all of U.K.) passed away on 12.5.90 at Hartlepool. For funeral arrangements Tel: 0429 231201 – 29 Mounston Close, Hartside Grange, Hartlepool, TS26 0LR, U.K.*

IN MEMORIAM

Maheswari Sabaratnam *Treasured memories of a dearest mum, mother-in-law, grand mother and great grand mother who passed away on 21.5.89. All our love and thoughts are with you always. Sadly missed and fondly remembered with love by your daughters, sons-in-law, grand children and great grand children – 29 Fairlawn Court, Cherry Orchard Estate, London SE7. Tel: 081-319 2913.*

In everloving memory of **Mr. S.R. Kanaganayagam** *on the first anniversary of his passing away on 15.5.89. Fondly remembered and sadly missed by his wife Sakthiammal (Sri Lanka), daughter Savitri Devi Balasubramaniam (Australia), sons Kanag-Isvaran (President's Counsel, Sri Lanka), Maheswaran (Australia) and all members of the family – 12 Fitzwilliam Road, Vaucluse, NSW 2030, Australia.*

FORTHCOMING EVENTS

June 1 *7.30 p.m.* **Geetha Layam** *– A concert of Bharatnatyam by Prakash Yadagudde, Kumari Nina & students at Riverdale Hall, Lewisham, London SE13. Tickets & Details Tel: 081-650 4796 & 081-291 2679.*

June 3 *Novena at the Asian Chaplaincy, 48 Gt. Peter Street, London SW1. Tel: 071-222 2895.*

June 6 *7.00 p.m. League of the Friends of the University of Jaffna Presents* **Bharatanatyam by Valli Subbiah** *with musicians from India at Claremont High School, Claremont Avenue, Kenton, Harrow, Middx. For tickets Tel: 0923 225850.*

June 9 *6.15 p.m. Jaffna Hindu College Old Boys' Association (U.K. Branch) Centenary Celebrations of Veena recital, Bharatanatyam, Drama & Dinner at Lola Jones Hall, Greaves Place, off Garratt Lane, London SW17. For tickets Tel: 081-291 2679 / 843 0427 / 478 1111.*

June 9 *12 noon to 5 p.m. Sri Lankan Christian Association presents* **'A Summer Fair'** *at Art Gallery, Commonwealth Institute, Kensington High Street, London W8.*

At Bharatiya Vidya Bhavan, 4A Castletown Road, London W14 9HQ Tel: 071-381 3036/ 4608.

May 26 *6.30 p.m. London Kuzhu presents Tamil Play 'Under Secretary'.*

May 27 *7.00 p.m. Classical Carnatic Vocal Recital by Isaiwani Smt Saraswathy Packiarajah.*

June 2 *7 p.m. Sarangi by Pandit Ramnarayan.*

June 9 *Bharatanatyam by Valli Subbiah with musicians from Kalakshetra, India.*

June 16 *7 p.m. Katak by Nahid Siddiqui.*

June 23 *7 p.m. Sitar by Budhaditya Mukherjee.*

A Delightful Evening

Smt PATHMINI GUNASEELAN & Smt KALAIVANI INDRAKUMAR

It is a rare sight to see a packed audience at a Tamil variety show in London. To see the hall still packed after the interval is a very rare occurrence. This was what happened at the Bharata Natyam and Instrumental Music show, presented by **Narthana Kalalaya** *and* **Natha Vidyalaya** *at Camden Centre, London WC1 on Saturday, 28th April 1990. It is commendable that the programmed commenced at the advertised time of 6.30 p.m.*

Smt. Pathmini Gunaseelan and Smt. Kalaivani Indrakumar, both being outstanding musicians had produced a memorable evening. Their combined effort was evident in all their productions. Pathmini's Dance Drama 'The Abduction of Sita' was very well conducted and the performing artistes were enchanting. Smt. Kalaivani's orchestra in which she was the main violinist, was lively and was well received by the audience including the main guests of the evening, who in their speeches paid high tribute to the high standard of the items. All the artistes in the orchestra were young musicians and their dedication to the Divine Carnatic Music System gave the audience a good opportunity to enjoy the excellent, sacred and secular pieces rendered.

Smt Kalaivani Indrakumar also released a book, **Isai Vazhi Murai,** *a Practical and Theory book in English, much needed in the rapidly progressing eastern music environment in the west.*

The success of the evening was not only due to the untiring efforts of dance and music teachers who organised the show but also the unstinted cooperation of the parents, pupils and well wishers.

Mrs Saraswathy Packiarajah.

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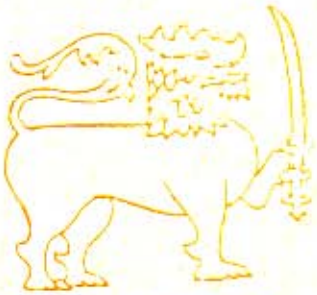

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